

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KORDELL KYLE BIG KNIFE,

Defendant.

CR-17-79-GF-BMM

ORDER

United States Magistrate Judge John Johnston entered Amended Findings and Recommendations in this matter on April 1, 2020. (Doc. 64.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Thomas v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on March 31, 2020. (Doc. 60.) The United States accused Big Knife of violating his conditions of supervised release by using alcohol. (Doc. 57.)

At the revocation hearing, Big Knife admitted that he had violated a condition of his supervised release by consuming alcohol (Doc. 60.) Judge Johnston found that Big Knife's violation warranted revocation, and recommended that Big Knife should receive a custodial sentence of 6 months of custody, with no supervised release to follow. Big Knife waived his right to allocute before the undersigned and the 14 day right to appeal. (Doc. 60.)

The violations prove serious and warrant revocation of Big Knife's supervised release. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Amended Findings and Recommendations (Doc. 64) are **ADOPTED IN FULL**.

IT IS FURTHER ORDERED that Defendant Kordell Kyle Big Knife be incarcerated for a term of 6 months with no supervised release to follow. Big Knife should serve his term of custody at the Bureau of Prison's facility in Sheridan, Oregon

DATED this 2nd day of April, 2020.

A handwritten signature in blue ink, reading "Brian Morris".

Brian Morris, Chief District Judge
United State District Court